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EDWARDS & ANGELL, LLP
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In re Application of
Pamela Zeitlin et al
Serial No.: 09/523,776
Filed: March 11, 2000
Attorney Docket No. : 49632

WITHDRAWAL OF ABANDONMENT

This is in response to the petition under 37 CFR 1.181, filed August 27, 2003, requesting withdrawal of abandonment of the above-identified application based on non-receipt of an Office action.

A review of the file history of the application shows that the examiner mailed a Final Office action to applicants, on December 31, 2002, at the original correspondence address: DIKE BRONSTEIN ROBERTS & CUSHMAN, 130 Water Street, Boston, MA 02109. A review of the PALM data base for the application confirms that the current correspondence address is EDWARDS & ANGELL, P.O. Box 9169, Boston MA, 02209. On August 27, 2003 the examiner mailed a Notice of Abandonment to applicants for failure to reply to the Office action. Applicants state that the Office action was never received and provide statements and docket record evidence of non-receipt in support thereof. Applicants also provide a copy of a submission of change of correspondence address submitted in paper and disk form dated December 5, 2002, three weeks prior to mailing of the last Office action. It is not known when this submission was received in the Office, however it was not entered in the Office's electronic data base until after the mailing of the Office action. It is noted that as early as September 5, 2001, applicants were using the new correspondence address above as their return mailing address on correspondence mailed to the Office (see reply to the restriction requirement mailed 9/05/01), but delayed more than a year before submitting it to the Office as the correspondence address for the above identified and hundreds of other applications. Applicants are required to keep the Office informed of their current correspondence address and to promptly inform the Office of any change of correspondence address. The delay of more than a year in submitting such change of correspondence address cannot be considered prompt. In view thereof, the Notice of Abandonment is not withdrawn and the application is not restored to a pending status.

Applicants' petition is **DENIED** for the reasons set forth above. Should there be any other facts not evident in applicants' submitted petition, they should be submitted in a renewed petition for

reconsideration. Applicants may also submit a petition under 37 CFR 1.137(b) requesting revival of the above identified application. Any new or renewed petition must be submitted within TWO MONTHS of the mailing date of this decision in order to be considered timely.

Should there be any questions regarding this decision, please contact William R. Dixon, Jr., by mail addressed to Director, Technology Center 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.



John Doll

Director, Technology Center 1600